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Paper No. 8

FERNANDEZ & ASSOCIATES LLP 1047 EL CAMINO REAL SUITE 201 **MENLO PARK CA 94025**

APR 0 7 2003

MAILED

In re Application of: Fernandez et al.

Application No. 10/056,463

Filed: January 23, 2002

For: LOCAL EMERGENCY ALERT FOR CELL-

PHONE USERS

DIRECTOR'S OFFICE **TECHNOLOGY CENTER 2600 DECISION ON PETITION** TO MAKE SPECIAL

This is a decision on the Petition To Make Special under MPEP § 708.02, XI: Invention for Countering Terrorism, filed March 7, 2003.

A grantable petition to make an application special under 37 C.F.R. § 1.102(d), and in accordance with MPEP § 708.02, XI, for an invention which contributes to the countering of terrorism, must include the petition fee under 37 CFR § 1.17(i). The petition must also be accompanied by a statement explaining how the invention contributes to countering terrorism. The types of technology for countering terrorism could include, but are not limited to, systems for detecting/identifying explosives, aircraft sensors/security systems, and vehicular barricades/disabling systems.

The statements made in the petition do not show how the technology of the instant application directly contributes to the countering of terrorism. Applicant's invention is directed to a remote alert/warning communication system via radio or cell phone. The alert may be triggered by any one of several conditions (specification - last full paragraph on page 5), with applications including fire or theft, for example (specification – second full paragraph on page 7). A general remote communication warning system does not constitute a specific invention for countering terrorism. Applicant may consider requesting special status under MPEP § 708.02, VIII.

Accordingly, the petition is **DENIED**.

Petitioner is given TWO MONTHS from the date of this decision to request reconsideration and supplement the original petition as appropriate.

The application file will be returned to the Technology Center's central files storage area to await action in its regular turn.

Kenneth Wieder Special Pro-Special Program Examiner Technology Center 2600

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